

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE SIDE

WRIT PETITION NO. 1262 OF 2007

Ashok Ganpatrao Patil & ors.... Petitioner

versus

Krishnabai w/o Baburao Mane Respondent.

Shri P.R.Arjunwadkar for the petitioner.

Shri Amit Borkar for respondent.

CORAM; A.P. DESHPANDE, J.
DATED; 13TH SEPTEMBER, 2007

P.C. ;

1. A decree has been passed for specific performance of contract in favour of the Plaintiff and the decree assumed finality on dismissal of the second appeal filed by the defendant. After the dismissal of the Second Appeal the decree holder submitted a draft sale deed before trial court. The draft sale deed was objected by the present petitioners/judgment debtor by contending that the same is not in conformity with the decree. The objection came to be rejected by the trial court. Hence an appeal was carried before the First Appellate Court. The First Appellate Court after re-appreciation of the material on record, has reached the conclusion that the property described in the draft sale deed is in conformity with the decree. It is this order passed by the First Appellate Court,

which is challenged in the present writ petition.

2. Perused the order. The same does not suffer from any illegality warranting any interference in writ jurisdiction. Petition thus stands dismissed summarily.

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